

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)

JOHN DETIG, et al.,
Plaintiffs,
v.
TEXTRON, INC.,
Defendant.

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: Civil Action No:AMD 01 CV 3834
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OCT 31 2002

CONSENT MOTION OF TEXTRON, INC. TO VACATE REMAINING DATES

Textron, Inc., a Defendant, by the undersigned counsel, and pursuant to the Federal Rules of Civil Procedure, hereby asks this Court to continue the remaining dates pursuant to the Scheduling Order in this case for three to six months based on the Plaintiffs' repeated unavailability for depositions and independent medical evaluations.¹ The failure of the Plaintiffs to appear on numerous occasions for depositions and for independent medical examinations, has made it difficult for the Defendant's experts to prepare their reports, and accordingly, Textron, Inc. is not prepared to issue reports of its expert witnesses as scheduled on October 30, 2002.

¹Textron, Inc. has on two (2) occasions informally brought to the Court's attention a conflict which its counsel has with the two (2) week period during which this case will be tried -- these letters are dated June 4, 2002 and October 21, 2002. On both occasions, the Court has indicated that it is not able to accommodate these informal requests. Coincidentally, the reasons underlying this formal Motion occurred on the morning of October 22, 2002, after the last request, and these reasons are unrelated to those upon which the informal requests were based, as will be explained in the Memorandum which accompanies this Motion.

ANDRE M. DAVIS
U.S. DISTRICT JUDGE

DEINED
20/10/2002

Plaintiffs' counsel can provide no assurances as to when the male Plaintiff will be medically cleared to give a deposition in this case and/or able to appear for several scheduled independent medical examinations. Accordingly, a range of three to six months is simply suggested.

WHEREFORE, for reasons stated in this Motion and the Memorandum which accompanies it, Textron, Inc. asks this Court to vacate the existing Scheduling Order, and establish a Scheduling Order which adds approximately three to six months to all remaining dates.



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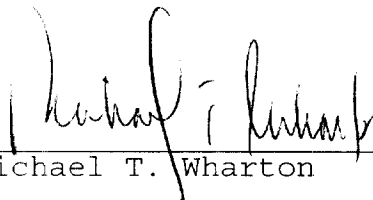
Counsel for Defendant Textron, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of October, 2002, a copy of the foregoing was mailed first class, postage prepaid to:

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